

REMARKS

Claims 1-10, 13, 14, 19, 20, 25, 26 and 31 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 112, first paragraph

A. The Examiner has rejected claims 1-10, 13, 19, 20, 25, 26 and 31 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. In particular, the Examiner indicated that the feature of “wherein said backside portion of said baffle is provided with a reinforcement rib disposed inside of said first closed chamber” is not set forth in the specification. Applicants respectfully disagree with the Examiner’s position.

In particular, Applicants note that in the response filed on April 13, 2005, a replacement sheet for Fig. 1 was submitted that added reference characters for the backside portion of the baffle (labeled as element 108) and the reinforcement rib (labeled as element 109). In addition, Applicants note that the specification was amended in the response filed on April 13, 2005 to recite that as “shown in FIG. 1, the front baffle 104 is provided with a recessed backside portion 108 where the passive radiator diaphragm 103 is housed. A reinforcement rib 109 is provided on the backside portion 108 of the front baffle 104.” Further, Applicants note that because the backside portion of the baffle and the reinforcement rib were shown in Fig. 1 as originally filed, it is clear that no new matter was introduced by these changes.

In view of the foregoing, Applicants respectfully submit that the specification supports the feature of “wherein said backside portion of said baffle is provided with a reinforcement rib disposed inside of said first closed chamber”, and therefore, Applicants submit that the claims comply with 35 U.S.C. § 112, first paragraph.

In view of the foregoing, Applicants kindly request that the above-noted rejection under 35 U.S.C. § 112, first paragraph be reconsidered and withdrawn.

B. The Examiner has also rejected claim 2 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. In particular, the Examiner has indicated that the feature of an auxiliary baffle disposed between the baffle and the passive radiator unit, as recited in claim 2, is not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. The Examiner has also indicated that this feature teaches away from applicant's invention which discloses a speaker apparatus that does not need an auxiliary baffle like that shown in Fig. 22 of the present application. Applicants respectfully disagree with the Examiner's position.

In particular, with respect to the Examiner's comments regarding Fig. 22 of the present application, Applicants note that Fig. 22 depicts a "sub-baffle plate 1206", but does not depict an "auxiliary baffle". In this regard, Applicants note that Fig. 2 of the present application clearly depicts an "auxiliary baffle 207", and that this "auxiliary baffle 207" is described in the specification at page 8, lines 10-15.

Regarding the description at page 8, lines 10-15 of the specification, it is disclosed that the auxiliary baffle 207, which is attached to the front face of front baffle 204 forms, in collaboration with speaker unit 202, passive radiator diaphragm 203 and front baffle 204, a closed front chamber 206.

In view of the foregoing, Applicants respectfully submit that the feature of "an auxiliary baffle disposed between said baffle and said passive radiator unit, wherein said first closed

chamber is formed by said speaker unit, said passive radiator unit, said baffle and said auxiliary baffle" is clearly described in the specification in such a way that one of ordinary skill in the art could make and/or use the invention. Further, Applicants respectfully submit that the above-noted disclosure regarding the "auxiliary baffle" clearly shows that the feature of an "auxiliary baffle" does not teach away from applicant's invention.

Based on the foregoing, Applicants kindly request that the above-noted rejection under 35 U.S.C. § 112, first paragraph be reconsidered and withdrawn.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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